

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-1402**

April 30, 2019

The Honorable Wilbur Ross  
Secretary  
Department of Commerce  
1401 Constitution Ave., NW  
Washington, DC 20230

Dear Secretary Ross,

I am writing today to voice increasingly strong concerns about the exclusion process for the Section 232 steel and aluminum tariffs run by the Department of Commerce ("the Department"). Since the process was established 13 months ago, it has been a master class in government inefficiency and plagued by maddening inconsistency. There are ways to fix the process and, as has always been the case, I am raising these myriad issues in hopes of working with you to improve its fairness, transparency, and efficiency for all participants.

However, I must begin by noting that I have not received a written response to my letter dated March 11, 2019, for which I had requested a response within two weeks. I would like to know the timeframe in which I can expect a response.

According to statistics compiled by my office, from February 26 (the first day decisions were released for requests that completed the rebuttal and surrebuttal process) through April 25, the Department has released 3,512 steel decisions in which it made a clear determination as to the domestic availability of a product. Of those, 385 were approved, while 3,127 were denied, resulting in a 10.96% rate of approval. It has denied an additional 832 requests that went through the rebuttal and surrebuttal process but did not receive a determination as to the domestic availability.

On April 24, the Department released the first tranche of decisions for aluminum in which it made a clear determination as to the domestic availability of a product. Of the 183 decisions, 20 were approved and 163 were denied, resulting in a 10.93% rate of approval. I continue to be concerned that there is a finger on the scale favoring objectors. To be clear, this concern goes beyond percentages, manifesting itself in the types of scenarios listed in the March 11 letter, as well as below.

I am requesting a written response to these additional questions as soon as possible but no later than two weeks from today. The response to today's letter need not coincide with the response to the March 11 letter.

1. Who has the burden of proof: the requester or the objector? Does the burden shift if a rebuttal or surrebuttal is filed?
2. As noted in Figure 1 of the Supporting Information, requests with no rebuttal or surrebuttal have a 4.68% approval rate. Requests with a rebuttal but no surrebuttal have a 37.76% approval rate. Given that the absence of a rebuttal results in a near-guaranteed denial, why does the absence of a surrebuttal still result in such a low chance of approval?
  - a. For instance, National Tool & Manufacturing Co. has filed 18 exclusion requests.<sup>1</sup> Each request had one objection from Edro Specialty Steels, Inc. The requester filed a rebuttal for each request and the objector filed no surrebuttals, yet the Department denied all 18 requests, finding “that the product...is produced in the United States in a sufficient and reasonably available amount and of a satisfactory quality.”<sup>2</sup> Because the decision memos, as pointed out in the March 11 letter, do not explain how the Department reached its conclusion, I would like to know how the following factors weighed in the denials:
    - i. The rebuttals filed by National Tool & Manufacturing Co.
    - ii. The absence of a surrebuttal from Edro Specialty Steels, Inc.
    - iii. The competitive landscape for this product given that National Tool & Manufacturing Co. claims Edro Specialty Steels, Inc. is a “direct competitor.”<sup>3</sup>
    - iv. The appearance that Edro Specialty Steels, Inc. has pending exclusion requests for the product it claims is a US-made substitute.<sup>4</sup>
    - v. The potential lack of production capacity for Edro Specialty Steels, Inc. to make all the products to which it objected. Edro’s objections state it has an annual plant capacity of 2,500 mt and a plant utilization of 55%.<sup>5</sup> This yields an available capacity of 1,125 mt. If there are no duplicates among the 18 requests, that adds up to 1,667 mt of steel to which they objected (see Figure 2 in Supporting Information).
    - vi. The fact that National Tool & Manufacturing Co. states in field 4.b of its requests<sup>6</sup> that the product has automotive and medical applications. These uses may fall under stringent regulation from transportation- and medical-related federal government agencies and could make switching suppliers a difficult and long process, notwithstanding the additional complications that would come with switching to a supplier they consider a direct competitor.
  - b. For instance, Mirror Metals, Inc. has had 107 of its requests denied from April 12-25. 95 of the requests had one objection, while 12 requests had two. The requester filed rebuttals in response to each objection, while the objectors filed 0 surrebuttals.

---

<sup>1</sup> It appears that some of the 18 might be duplicates, but it is near impossible to distinguish what is/is not a duplicate

<sup>2</sup> A representative example can be found here: <https://www.regulations.gov/document?D=BIS-2018-0006-120887>

<sup>3</sup> A representative example can be found here: <https://www.regulations.gov/document?D=BIS-2018-0006-52800>

<sup>4</sup> For instance, <https://www.regulations.gov/document?D=BIS-2018-0006-43426>, an objection for Edro, states, “Edro produces RoyAlloy in the USA.” However, <https://www.regulations.gov/document?D=BIS-2018-0006-83637> is one of many Edro exclusion requests that appears for the same RoyAlloy material.

<sup>5</sup> A representative example can be found here: <https://www.regulations.gov/document?D=BIS-2018-0006-43426>

<sup>6</sup> A representative example can be found here: <https://www.regulations.gov/document?D=BIS-2018-0006-26437>

Tresten Sneed & Assocs., Inc DBA TSA Processing (“TSA Processing”) objected to 106 requests, AK Steel objected to 12, and Amerinox Processing, Inc. objected to one. The Department denied all 107 requests, finding “that the product...is produced in the United States in a sufficient and reasonably available amount and of a satisfactory quality.”<sup>7</sup> Again, because the decision memos do not explain how the Department reached its conclusion, I would like to know how the following factors weighed in the denials:

- i. The rebuttals filed by Mirror Metals, Inc.
- ii. The absence of a surrebuttal from TSA Processing, AK Steel, and Amerinox Processing, Inc.
- iii. Concerns raised in Mirror Metals, Inc.’s rebuttal<sup>8</sup> that TSA Processing only recently acquired the ability to produce the product in question, that they appear to be “at best months away from being able to produce material,” and that there are outstanding questions regarding their ability to deliver the product in the required quality and quantity.
- iv. Correspondence included in Mirror Metals, Inc.’s rebuttal<sup>9</sup> in which a representative from TSA Processing seems to acknowledge that their product does not currently meet Mirror Metals’ standards (“We can all work together with the domestic mills to develop tighter tolerances on the substrate.”).
- v. Correspondence included in Mirror Metals, Inc.’s rebuttal<sup>10</sup> in which a representative from TSA Processing notes that a small order from Mirror Metals could lead them to withdraw their objections, raising questions about the underlying good faith of the objections.
- vi. The apparent lack of production capacity for TSA Processing to make all of the products to which it objected. TSA Processing’s objections state it has an annual plant capacity of 3,000 mt, but list no plant utilization.<sup>11</sup> The 106 TSA Processing objections that resulted in a denial were for a combined 6,113 mt (see Figure 3 in Supporting Information). TSA Processing was the sole objector for 4,861 mt of that total, which means that the Department has already approved one-and-a-half times the product tonnage for TSA Processing than its stated plant capacity.

Furthermore, TSA Processing has objected to an additional 38 Mirror Metals requests for a combined 3,154 mt (see Figure 4 in Supporting Information). This means that TSA Processing objected to a combined total of 9,267 mt of steel – over three times their stated plant capacity, which does not even account for plant utilization.

---

<sup>7</sup> A representative example can be found here: <https://www.regulations.gov/document?D=BIS-2018-0006-25788>

<sup>8</sup> A representative sample can be found here: <https://www.regulations.gov/document?D=BIS-2018-0006-61248>

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> A representative sample can be found here: <https://www.regulations.gov/document?D=BIS-2018-0006-28476>

- vii. Concerns raised in Mirror Metals, Inc.'s rebuttal<sup>12</sup> that the production timeline in AK Steel's objection is 90 days (13 weeks), which is longer than the eight weeks required by the Department's regulations and that AK Steel's product does not meet the quality standards of Mirror Metals or their customers.
  - c. There are many other questions concerning other cases where denials were issued when rebuttals were filed but surrebuttals were not, but for the sake of brevity, only two such examples are included.
- 3. My office has fielded questions from numerous companies that had a request approved but have no information on how to renew it since exclusions are generally valid for one year.
  - a. What is the process for renewing an approved exclusion?
  - b. Is there any expedited procedure to renew an approved exclusion?
  - c. Has the Department publicized or is the Department planning to publicize the procedure to renew an approved exclusion?
- 4. Does the Department verify an objector's stated Current Annual Plant Production Capacity and % Plant Utilization Current in Fields 1.c, 1.d, 1.e, and 1.f of the Excel Objection Form?
  - a. For instance, Sandvik Materials Technology has filed about 500 objections and listed seven different combinations of capacity and capacity utilization for its Clarks Summit, PA facility (see Figure 5 in Supporting Information). While there could be a legitimate reason for the variance, no explanation is given. None appear to correspond with a particular date of filing or tariff code. Did the Department note this variance and verify Sandvik's capacity and capacity utilization?
  - b. For instance, Electralloy, a G.O. Carlson Inc. Co. ("Electralloy") has filed about 300 objections and listed five different combinations of capacity and capacity utilization for its Oil City, PA facility (see Figure 6 in Supporting Information). While there could be a legitimate reason for the variance, no explanation is given. None appear to correspond with a particular date of filing or tariff code. Did the Department note this variance and verify Electralloy's capacity and capacity utilization?
  - c. Such variations are present with other objectors, but for the sake of brevity, only two such examples are included.
- 5. On April 24, 2019, the Department denied ten aluminum exclusion requests for Erickson Metals of Colorado (see Figure 7 in Supporting Information), with the Department finding that the products in question "[are] produced in the United States in a sufficient and reasonably available amount and of a satisfactory quality."<sup>13</sup> However, none of the ten requests had any objections posted.
  - a. Why were these requests not put into an expedited decision process like other requests with no objections?
  - b. What information did the Department rely on in denying the requests if no objections were posted?

---

<sup>12</sup> A representative sample can be found here: <https://www.regulations.gov/document?D=BIS-2018-0006-59921>

<sup>13</sup> A representative example can be found here: <https://www.regulations.gov/document?D=BIS-2018-0002-15329>



6. What steps is the Department taking to ensure that it is not giving an unfair advantage to one competitor that requested an exclusion over another with a pending request for a similar or the same product?
  - a. For instance, an approval can give a company an advantage over a competitor who has a request denied or even merely still pending. When the Department approves a request, does it attempt to identify other requests that might be impacted?
  - b. For instance, according to statistics compiled by my office, 30 companies have received approvals after going through the rebuttal and surrebuttal process. One of those companies mounted a very aggressive public relations campaign.
    - i. Did the Department attempt to identify other requesters that may be impacted by this approval? Were those companies' requests approved as well?
    - ii. What did the Department do to ensure that one company is not given an advantage over another with a request pending for a similar or the same product solely because one decided to spend money on a public relations campaign while the other did not?
7. My office has identified 885 requests that were denied on a new basis. According to the decision memo, "imports from the source countries for which exclusions were requested were not, at the time of submission, subject to a duty."<sup>14</sup> It appears this means that the exclusion request was submitted for a country subject to a quota. Quota countries were ineligible for exclusion requests until changes made to the process by the Presidential Proclamation issued on August 29, 2018.<sup>15</sup>
  - a. If these requests were ineligible from the start, why were they posted?
  - b. These requests sat for an average of almost 307 days (10.2 months) from the date of submission until the Department denied them. Why did the Department wait so long to deny them?
  - c. 719 of the 885 requests had at least one objection filed, 450 had at least one rebuttal filed, and 319 had at least one surrebuttal filed.
    - i. How does the Department justify putting these requests into the rebuttal and surrebuttal process if they were ineligible from the start?
    - ii. How does the Department justify forcing requesters and objectors to spend time and money filling out rebuttal and surrebuttal forms if the requests were ineligible from the start?
    - iii. How much of the Department's limited resources, including time and staff, were spent analyzing these requests and their accompanying objections, rebuttals, and surrebuttals?
  - d. 16 of the requests were submitted after the August 29, 2018 Presidential Proclamation (see Figure 8 in Supporting Information).
    - i. Why were these requests denied on this basis?

---

<sup>14</sup> A representative sample can be found here: <https://www.regulations.gov/document?D=BIS-2018-0006-117206>

<sup>15</sup> <https://www.whitehouse.gov/presidential-actions/presidential-proclamation-adjusting-imports-steel-united-states-6/>

- ii. My office is aware of at least one company that was told by Department staff after the Proclamation was issued to submit their request using the old Excel Request Form, even though it did not reflect the option to request an exclusion from a quota country because the staff did not know when the updated form would be available. If the requester was following the Department's instructions, why was the request denied on this basis?
  - iii. When was the Excel Request Form updated to reflect the option of requesting an exclusion from a quota country? Did the Department make any proactive outreach to participants or otherwise publicize that it had updated the form?
- 8. The Department's stated goal for the steel and aluminum tariffs was that capacity utilization would reach 80%.<sup>16</sup>
  - a. What metric is the Department is using to track capacity utilization? For instance, in the steel industry, there is publicly available data from the American Iron and Steel Institute<sup>17</sup> that shows an 81.8% capacity utilization rate in the week ending April 20, 2019. The Federal Reserve Bank of St. Louis, on the other hand, shows a 79.5% capacity utilization rate in March 2019.<sup>18</sup> Moreover, there does not appear to be similar publicly-available capacity utilization data for primary aluminum production.
  - b. How long does the 80% capacity utilization rate need to be sustained in order for the steel and aluminum tariffs to be lifted (a quarter, six months, a year, etc.)?
  - c. How is the Department factoring new capacity into capacity utilization metrics? Because the utilization rate could fall as new capacity comes online, is the Department using the capacity utilization rate on a specific date as a reference point?
- 9. While I recognize some of the below statistics are distorted by the partial government shutdown, what measures is the Department taking to reduce wait times and speed up processing of requests, objections, rebuttals, surrebuttals, and decisions?
  - a. From April 1-25, 2019, the Department posted 8,085 steel requests that waited an average of 73.4 days before being posted. During that same period, the Department posted 1,843 aluminum requests that waited an average of 89.3 days before being posted. Two of those aluminum requests waited 182 days and two more waited 188 and 245 days before being posted.<sup>19</sup>
  - b. From April 1-25, 2019, the Department posted 15 steel objections, seven of which waited over 100 days before being posted. Three waited 125, 129, and 145 days.<sup>20</sup>
  - c. From April 1-25, 2019, the Department posted 546 steel rebuttals that waited an average of 60.3 days before being posted. During that same period, the Department posted 128 aluminum rebuttals that waited an average of 58.4 days before being posted.

<sup>16</sup> <https://www.reuters.com/article/us-usa-trade-steel/u-s-commerce-department-proposes-hefty-import-curbs-on-steel-aluminum-idUSKCN1G01QB>

<sup>17</sup> <https://www.steel.org/industry-data>

<sup>18</sup> <https://fred.stlouisfed.org/graph/?g=n3HM>

<sup>19</sup> BIS-2018-0002-13539, 13541, 13499, and 13491 respectively

<sup>20</sup> BIS-2018-0006-126061, 125654, and 125539 respectively

- d. From April 1-25, 2019, the Department posted 4,181 steel decisions that had an average wait time from submission to decision of 276.2 days. 1,952 of those decisions took over 300 days from submission to decision. 109 took over 365 days from submission to decision.
  - e. On April 24, 2019, the Department posted 197 aluminum decisions that had an average wait time from submission to decision of 316.9 days. 120 of those decisions took over 300 days from submission to decision. Six took over 365 days from submission to decision.
10. What interagency outreach and feedback does the Department undertake and take into account when it evaluates exclusion requests?
- a. For instance, does the Department take into account whether or not a requester has contracts with the Department of Defense?
  - b. For instance, does the Department consult with the Department of Transportation or other relevant transportation agencies if an exclusion request pertains to automotive, airline, or other uses that fall under their regulations, and for which switching suppliers could take years?
  - c. For instance, does the Department consult with the Food and Drug Administration or other relevant food or medical safety agencies if an exclusion request pertains to food or medical safety, and for which switching suppliers could take years?
11. What are the Department's quality control procedures for posting entries?
- a. For instance, my office has found too many instances to count where the title of a request is wrong. Some say "Exclusion Denied" when the request is actually approved, or vice versa. Others indicate that the request is still in the rebuttal or surrebuttal period when it has actually been approved/denied. Some have not been changed at all, giving no indication the request has been approved/denied. Since there is no user-friendly way to track decisions, these are important errors that give participants inaccurate information as to the status of a request.
  - b. For instance, my office has found numerous instances where objections are posted as rebuttals and rebuttals are posted as surrebuttals. This can add a layer of difficulty for those trying to prepare a rebuttal or surrebuttal during the seven-day period to try to find the underlying objection or rebuttal.
  - c. For instance, my office has found instances of unhelpful decision memo feedback. Decision memo BIS-2018-0006-126408 says (emphasis added), "Customs and Border Protection (CBP) has advised BIS that the product description is inconsistent with the claimed classification...providing the following guidance: **[insert CBP denial language here]**." This is not to mention that there also appears to be a duplicate decision memo for this particular request (BIS-2018-0006-126768).
  - d. There are plenty of other examples of similar sloppiness that range from nitpicking to merely inconvenient to significant. Looking at them in totality gives the appearance of a pervasive lack of attention to detail, a prioritization of quantity over quality, and subpar quality control.

12. My office has been made aware by a few companies whose exclusion request was approved, but the importer of record legally changed its name. They reached out to the Department for clarification as to whether the approval remains valid or if they need to file a new exclusion request, but the Department has not responded.

- a. Do these companies need to file new exclusion requests? If so, why? If so, how does this affect the date at which they are eligible for retroactive relief?
- b. What is the standard for response time if a participant reaches out to the email addresses and phone numbers provided by the Department? How often are those standards met?

My office stands, as always, ready to assist you and your Department in making sure the exclusion process is transparent, fair, efficient, and functional for all participants. However, I continue to see little to give me faith that those four ideals are being met.

Thank you in advance for your prompt response to this inquiry.

Sincerely,



JACKIE WALORSKI  
Member of Congress



### Supporting Information

**Figure 1: Approvals vs. denials for requests that received a judgment on the domestic availability of a steel product (as of April 25, 2019)**

Type	Total Decisions	Approved	Denied	Approval Rate
Objection Only	2,500	117	2,383	4.68%
Objection-Rebuttal	482	182	300	37.76%
Objection-Rebuttal-Surrebuttal	530	86	444	16.23%
Total	3,512	385	3,127	10.96%

**Figure 2: Requests for National Tool & Manufacturing Co. vs. objections from Edro Specialty Steels, Inc.**

Edro Objection ID	National Tool Request ID	Amount Requested (mt)	Objections	Rebuttals	Surrebuttals	Result
41995	25541	60	1	1	0	Denied
41460	25621	82	1	1	0	Denied
40394	25665	20	1	1	0	Denied
43393	26413	125	1	1	0	Denied
43406	26423	163	1	1	0	Denied
43426	26437	122	1	1	0	Denied
43497	27393	140	1	1	0	Denied
43546	28651	140	1	1	0	Denied
44038	28693	35	1	1	0	Denied
44124	28703	81	1	1	0	Denied
44255	28710	64	1	1	0	Denied
44289	28717	64	1	1	0	Denied
44304	28735	60	1	1	0	Denied
44317	28740	82	1	1	0	Denied
44332	28746	20	1	1	0	Denied
44360	28753	125	1	1	0	Denied
44370	28757	163	1	1	0	Denied
44383	28774	122	1	1	0	Denied

**Figure 3: Requests for Mirror Metals Inc. that were denied (through April 25, 2019)**

Request ID	Amount Requested (mt)	Objections	Objector(s)	Rebuttals	Surrebuttals
9830	138	1	Amerinox Processing, Inc.	1	0
10155	18	1	TSA Processing	8	0
14757	272	1	TSA Processing	1	0
14784	181	1	TSA Processing	1	0
14818	54	1	TSA Processing	1	0
14845	272	1	TSA Processing	1	0
15401	18	1	TSA Processing	1	0
15405	18	1	TSA Processing	1	0
15408	272	1	TSA Processing	1	0
15417	36	1	TSA Processing	1	0
15422	18	1	TSA Processing	1	0
15447	5	1	TSA Processing	1	0
15453	18	1	TSA Processing	1	0
15461	5	1	TSA Processing	1	0
15469	9	1	TSA Processing	1	0
15477	9	1	TSA Processing	1	0
15482	54	1	TSA Processing	2	0
15487	18	1	TSA Processing	1	0
15490	9	1	TSA Processing	1	0
15493	5	1	TSA Processing	1	0
15613	204	1	TSA Processing	1	0
15652	54	1	TSA Processing	1	0
15725	29	1	TSA Processing	1	0
15768	9	1	TSA Processing	1	0
15804	9	1	TSA Processing	1	0
15806	9	1	TSA Processing	1	0
15821	9	1	TSA Processing	1	0
15823	9	1	TSA Processing	1	0
15844	9	1	TSA Processing	1	0
15847	9	1	TSA Processing	1	0
15856	9	1	TSA Processing	1	0
15858	9	1	TSA Processing	2	0
15859	9	1	TSA Processing	1	0
15861	9	1	TSA Processing	1	0
15863	9	1	TSA Processing	1	0
15866	9	2	TSA Processing (x2)	2	0
15930	18	1	TSA Processing	1	0
15935	18	1	TSA Processing	1	0
15936	18	1	TSA Processing	1	0
15942	54	1	TSA Processing	1	0
15949	54	1	TSA Processing	1	0
15965	272	1	TSA Processing	1	0
15976	54	1	TSA Processing	1	0
16775	18	1	TSA Processing	1	0
16777	54	1	TSA Processing	1	0
17091	136	1	TSA Processing	1	0
17099	272	1	TSA Processing	1	0
17156	18	2	TSA Processing, AK Steel	2	0
17160	272	2	TSA Processing, AK Steel	3	0
17161	272	2	TSA Processing, AK Steel	2	0
17210	327	2	TSA Processing, AK Steel	2	0
17211	18	2	TSA Processing, AK Steel	3	0

17216	18	2	TSA Processing, AK Steel	3	0
17230	136	2	TSA Processing, AK Steel	3	0
17231	136	2	TSA Processing, AK Steel	2	0
17233	9	2	TSA Processing, AK Steel	3	0
17234	18	2	TSA Processing, AK Steel	2	0
17242	9	2	TSA Processing, AK Steel	3	0
17243	18	2	TSA Processing, AK Steel	3	0
17597	29	1	TSA Processing	1	0
17598	18	1	TSA Processing	1	0
17599	54	1	TSA Processing	1	0
17601	272	1	TSA Processing	1	0
17604	181	1	TSA Processing	1	0
17605	54	1	TSA Processing	1	0
17607	54	1	TSA Processing	1	0
17609	408	1	TSA Processing	2	0
17621	9	1	TSA Processing	1	0
20062	36	1	TSA Processing	1	0
20080	36	1	TSA Processing	1	0
20090	36	1	TSA Processing	1	0
20111	36	1	TSA Processing	1	0
20117	54	1	TSA Processing	1	0
20205	36	1	TSA Processing	1	0
20222	54	1	TSA Processing	1	0
20224	36	1	TSA Processing	1	0
20232	54	1	TSA Processing	1	0
20246	9	1	TSA Processing	1	0
20252	5	1	TSA Processing	1	0
20258	91	1	TSA Processing	1	0
20261	5	1	TSA Processing	1	0
20321	36	1	TSA Processing	1	0
20328	36	1	TSA Processing	1	0
20361	2	1	TSA Processing	1	0
20391	54	1	TSA Processing	1	0
20395	9	1	TSA Processing	1	0
20431	36	1	TSA Processing	1	0
20450	36	1	TSA Processing	1	0
20457	91	1	TSA Processing	1	0
20464	9	1	TSA Processing	1	0
20492	18	1	TSA Processing	1	0
20505	4	1	TSA Processing	1	0
20510	36	1	TSA Processing	1	0
20520	18	1	TSA Processing	1	0
20529	36	1	TSA Processing	1	0
20536	9	1	TSA Processing	1	0
20557	18	1	TSA Processing	1	0
20572	18	1	TSA Processing	1	0
20584	18	1	TSA Processing	1	0
20605	4	1	TSA Processing	1	0
20614	10	1	TSA Processing	1	0
20621	18	1	TSA Processing	1	0
20628	54	1	TSA Processing	1	0
20786	9	1	TSA Processing	1	0
20872	18	1	TSA Processing	1	0
25788	9	1	TSA Processing	1	0
25793	9	1	TSA Processing	1	0

**Figure 4: Pending objections from TSA Processing against requests for Mirror Metals Inc.  
(as of April 23, 2019)**

<b>Request ID</b>	<b>Amount Requested (mt)</b>	<b>Objections</b>	<b>Rebuttals</b>	<b>Surrebuttals</b>
14862	408	1	1	0
15395	18	1	1	0
15399	18	1	1	0
15427	18	1	1	0
15458	9	1	1	0
15484	5	1	1	0
15646	408	1	1	0
15750	9	1	1	0
15963	181	1	1	0
17016	136	3	3	1
17024	136	2	2	1
17028	36	2	2	1
17039	18	2	2	1
17070	54	2	3	1
17077	136	2	3	1
17129	18	2	2	1
17137	136	2	2	1
17191	5	2	3	1
17209	91	2	3	1
17217	36	2	2	1
17220	97	2	2	1
17221	18	2	2	0
17224	36	2	2	1
17228	227	2	2	1
17232	36	2	3	1
17239	4	2	2	1
17240	1	2	3	1
17241	55	2	2	1
17244	56	2	3	1
18966	9	2	3	1
18991	45	2	3	1
19009	37	2	3	1
19018	27	2	2	1
19027	181	3	4	1
19066	136	3	3	1
19073	18	2	2	1
19090	272	3	3	1
20996	18	1	2	0



**Figure 5: Sandvik Materials Technology plant capacity/capacity utilization combinations**

Location	Current Annual Plant Production Capacity (mt)	% Plant Utilization Current
Clarks Summit, PA	1,700	65%
Clarks Summit, PA	2,000	70%
Clarks Summit, PA	2,200	70%
Clarks Summit, PA	3,100	70%
Clarks Summit, PA	10,000	65%
Clarks Summit, PA	10,000	70%
Clarks Summit, PA	20,000	50%

**Figure 6: Electralloy plant capacity/capacity utilization combinations**

Location	Current Annual Plant Production Capacity (mt)	% Plant Utilization Current
Oil City, PA	10,000	40%
Oil City, PA	20,000	50%
Oil City, PA	30,000	50%
Oil City, PA	50,000	50%
Oil City, PA	50,000	60%

**Figure 7: Erickson Metals of Colorado requests denied despite no objections**

Request ID	Decision Memo ID	Result	Days from Submission to Decision	Objections
4503	15329	Denied	231	0
4508	15339	Denied	231	0
4510	15341	Denied	231	0
4514	15343	Denied	231	0
4520	15345	Denied	231	0
4523	15347	Denied	231	0
4526	15349	Denied	231	0
4527	15350	Denied	231	0
4529	15353	Denied	231	0
4530	15355	Denied	231	0

**Figure 8: Requests denied because country was under a quota, submitted after August 29, 2018 Presidential Proclamation**

<b>Request ID</b>	<b>Date of Submission</b>
44713	8/31/2018
44718	8/31/2018
44722	8/31/2018
44726	8/31/2018
44748	8/31/2018
44779	8/31/2018
44805	8/31/2018
44874	8/31/2018
44883	8/31/2018
44902	8/31/2018
44907	8/31/2018
44912	8/31/2018
44926	8/31/2018
44930	8/31/2018
46952	9/7/2018
49221	9/10/2018